

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 17-4785 FMO (MRWx)	Date	October 16, 2017
Title	Samuel Zarian v. Thomas Relis, et al.		

Present: The Honorable	Fernando M. Olguin, United States District Judge		
Vanessa Figueroa	None	None	None
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorney Present for Plaintiff:	Attorneys Present for Defendants:		
None Present	None Present		

Proceedings: (In Chambers) Order Re: Motions for Default Judgment

Having considered the briefing filed with respect to plaintiff's Motions for Default Judgment (Dkts. 16 & 18), and the oral argument presented to the court on October 12, 2017,¹ IT IS ORDERED THAT:

1. Plaintiff's Motions for Default Judgment (**Document Nos. 16 and 18**) are **denied without prejudice**.

2. Given that defendant Thomas Relis has passed away, plaintiff shall, no later than **October 26, 2017**, file and serve a First Amended Complaint naming the proper defendant in place of Thomas Relis. Plaintiff is cautioned that failure to timely file a First Amended Complaint may result in this action being dismissed without prejudice for failure to prosecute and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

3. Defendant Custom Laundry & Cleaners, Inc. is hereby advised that if it wishes to appear further in this action, it may do so only through counsel. See Rowland v. California Men's Colony, 506 U.S. 194, 201-02, 113 S.Ct. 716, 721 (1993) ("It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel."); Dr. JKL Ltd. v. HPC IT Education Ctr., 749 F.Supp.2d 1038, 1046 (N.D. Cal. 2010) ("A corporation or other artificial entity must be represented by licensed counsel."); Local Rule 83-2.2.2 ("No organization or entity of any other kind . . . may appear in any action or proceeding unless represented by an attorney permitted to practice before this Court[.]"). A Notice of Appearance must be filed by Custom Laundry & Cleaners, Inc.'s counsel no later than **November 13, 2017**. The failure to file a Notice of Appearance by **November 13, 2017**, may result in the entry of default against it.

4. In the event Custom Laundry & Cleaners, Inc. does not retain counsel, plaintiff shall file

¹ The court notes that no appearance was made on behalf of Thomas Relis or his trust.

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a motion for default judgment against Custom Laundry & Cleaners, Inc. no later than **November 20, 2017**. Failure to file a motion for default may result in the action against Custom Laundry & Cleaners, Inc. being dismissed for failure to prosecute and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); Link, 370 U.S. at 629-30, 82 S.Ct. at 1388.

5. Plaintiff's counsel shall forthwith serve Ms. Andriassian with a copy of this Order, and file a proof of service no later than two court days following the filing of this Order.

6. Ms. Andriassian should consider contacting the Central District's Pro Se Clinic for assistance. The Pro Se Clinic is located at 312 N. Spring Street, Room G-19, Main Street Floor, Los Angeles, CA 90012, and open Mondays, Wednesdays, and Fridays 9:30am – 12:00pm and 2:00pm – 4:00pm. For more information about the Pro Se Clinic, plaintiff should contact Public Counsel at (213) 385-2977, ext. 270 or refer to the Pro Se Clinic website at <http://prose.cacd.uscourts.gov/los-angeles>.

Initials of Preparer
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vdr